

**UNITED STATES DISTRICT COURT**

## EASTERN DISTRICT OF TEXAS

MICHAEL DILLON,

Petitioner,

*versus*

WARDEN, FCI BEAUMONT,

Respondent.



CIVIL ACTION NO. 1:21-CV-214

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE  
JUDGE’S REPORT AND RECOMMENDATION**

Petitioner Michael Dillon, an inmate at the Federal Correctional Complex in Beaumont, Texas, proceeding *pro se*, brought this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends granting the respondent's motion to dismiss or, in the alternative, motion for summary judgment (#9). Additionally, the magistrate judge recommends dismissing this petition without prejudice.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

## ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. It is

**ORDERED** that the respondent's motion to dismiss or, in the alternative, motion for summary judgment is **GRANTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 4th day of September, 2022.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE